

# Working together to change UC

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BOB SAMUELS, UC-AFT PRESIDENT

## A new internal organizing plan

**O**ur biggest challenge as an organization is that we do not have enough active members on our campuses. This low level of regular participation in union activities makes it very hard for us to function as an effective institution.

In fact, ideally, UC-AFT would function primarily by having lecturers and librarians volunteering to run meetings, handle grievances, recruit new members, participate in coalitions, lobby politicians, and hold internal meetings. On most campuses, these types of member-led activities are handled by a few activist members and salaried staff. The central problem is that without a critical mass of dedicated activists, the union cannot survive.

### Marshalling our forces

Currently, we face several great challenges that require us to increase our active membership. Our budget will be shrinking because we need to pay affiliation fees to AFT and CFT that are a higher percentage of our dues. We are also under attack by various state initiatives and political forces that are seeking to undermine the rights of unions to engage in needed political work. There is also a growing conservative movement to defund higher education and monitor the political activities of all faculty members (including librarians).

In order to combat all of these issues, we will engage in a coordinated campaign to increase active membership by increasing UC-AFT's presence in the political arena. The central plan is to set up political action committees on each

campus and to hold a series of meetings and/or lectures concerning the current attacks on higher education and faculty.

The main goal of this process is to bring in new people and to give them tasks and positions that encourage them

to become more active members. While some of our members may be turned off by politics, we feel that this campaign could be a way to activate some of our more disinterested members. If nothing else, a coordinated campaign will increase our visibility and will help us take advantage of our relationship

with CFT.

### Organizing Senate faculty

Another aspect of this project will be to get more Senate faculty involved, and this may help us to sign up more non-represented members while preparing for the eventual move to organize all Senate faculty in the UC system. It is also important for us as a union to expand the way our members define us: instead of just seeing UC-AFT as a union that simply bargains and enforces contracts, we need to be seen as a vital political and intellectual organization.

Our campaign in 2005-06 will not be centered on the November 8 special election, although this will be important; rather, we will be looking at issues that affect our members now and in the future. One overall issue will be current and future threats to our health benefits and retirement plans. Developing campaigns around these issues will also help

us to work with Senate faculty members.

In addition, we will be setting up committees on each campus to continue working on workload issues. Our hope is that we can draw in more active members as we prepare for our next bargaining re-openers. Finally, we are considering having a UC-AFT convention in the spring that would engage more of our members in direct democratic participation and union leadership.

*One overall issue will be current and future threats to our health benefits and retirement plans.*



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# Special election endangers public education

*Governor Schwarzenegger's expensive and unnecessary November special election is an attack on teachers and all public employees in California.* Three

propositions, out of eight that will appear on the ballot, represent a direct attempt by the governor to move his anti-public education and anti-union agendas. If these initiatives pass, they will have a devastating effect on our ability to deliver quality public education to the students and families of California, and on the capacity of all public employee unions to defend and advocate for their members.

## Proposition 74

Its proponents call this the "Put Kids First Act." More accurate would be to call it the "Punish New Teachers Act." It would extend probation from two to five years, during which time the teacher could be terminated for any reason, or for no reason at all. It would also allow termination of tenured teachers after two successive bad evaluations. Due process rights would be a thing of the past, and so would our ability to attract and retain good teachers.

No educational research exists to show that this would improve student outcomes or teacher performance. As an attack on job security, its ramifications would have a ripple effect on seniority provisions in union contracts in any occupation.

## Proposition 75

A new version of 1998's Paycheck Deception Act, this proposition takes direct aim at public employee unions. It would fulfill the governor's dream of muzzling his most effective critics—educators, nurses, firefighters and police. Currently, unions are able to bundle individual political contributions into sums large enough to counter the power of corporations and the rich, creating a means for workers to exercise political power.

Proposition 75 would destroy that ability by tying up public employee unions in costly and time-consuming bureaucratic reporting requirements. It would undo the democratic will of the majority of union members.

Although Schwarzenegger has not officially endorsed Proposition 75, his campaign committee has funneled financing to it. Proposition 75 was written by Lew Uhler, a former John Birch Society official, and funded by the misnamed "Small Business Committee," which is in fact made up of large corporations. If Proposition 75

passes it will cripple the ability of the CFT to advocate on your behalf in Sacramento, and your own AFT local's ability to participate in local politics such as school board elections.



*Union members confront the governor in San Francisco.*

Alliance for a Better California, photo

## Schwarzenegger's measures are not in the public's interest

By Howard Ryan, UCLA Field Representative

**G**overnor Arnold Schwarzenegger has called a special election for this November. His program is supposedly so urgent it cannot wait until the regular elections in 2006. And what pressing agenda must be taken to voters at a cost of \$80 million to taxpayers?

First, the governor wants teachers to wait longer before they can have employee rights. His "Put the Kids First Act" would require California teachers to serve five years in probation status, instead of the current two.

According to the governor, the longer probation is needed because the present system makes it too hard to get rid of bad teachers. His campaign literature seems quite dishonest here, claiming public school teachers are "virtually guaranteed a job for life" after two years on the job, "regardless of their performance."

In fact, the state education code is very clear that problematic teachers – including those with permanent, or "tenured," status – may be dismissed for unsatisfactory performance, unprofessional conduct, unfitness for service and so on. While permanent teachers have the legal guarantee of due process, probationary teachers have fewer such rights.

The governor's initiative is not really about allowing schools to get rid of bad teachers – they can already do this. Rather, it is about reducing the union strength of public school teachers. The initiative would weaken job security and increase teacher turnover.

*(continued on page 10)*

# Librarians bargaining for raises, improved funding

by Miki Goral, Chief Negotiator

What follows is an update on the progress of our reopener bargaining. At the moment, the news is not encouraging. The University team and the union team have had three formal sessions to date, and we anticipate that a fourth session will take place in mid-September. After that session, if the University holds to its present positions, negotiations may well reach impasse on two issues: salary (Article 12) and alternative arrangements during holiday closures (Article 20).

## Salary negotiations

Per the existing language of our Memorandum of Understanding (MOU), librarians receive whatever “general” range adjustments are given to non-represented academic employees, including Senate faculty. We are allowed to bargain over so-called “non-general” range adjustments, which would be salary increases that are additional to the general range adjustments presently guaranteed to us by the MOU.

We began this reopener bargaining on salary by proposing a non-general range adjustment that was designed to give larger raises to the lowest-paid librarians, with proposed increases running from 6% at the low end of the scale to 2% at the higher end.

The University then informed us that the unit would be receiving a 2% general range adjustment (“cost of living” adjustment or “COLA”), due to the passage of the higher education “compact” in this year’s state budget. In the new budget, the University received a 3% increase in state funding for employee salaries and related costs. We also learned at that time that the University intended to take 1% of the “compact” money to fund our unit’s merit increases — thus reducing the unit’s COLA to 2%.

Soon after, the University responded to our initial proposal by offering to structure the 2% COLA so that the lowest-paid librarians received a higher percentage raise of up to 5%, and higher-paid librarians received an increase of less than 1%. In other words, they accepted the unit’s proposal for an increase weighted toward the lower end of the salary scale, but only agreed to use the funds already coming to the unit as the 2% COLA.

The union team rejected this approach. In our next proposal, we asked for a flat increase of \$2100 to each unit member’s salary, in addition to the 2%

merits, the University can pull its money back and use these state funds.

Extended negotiations over salary will probably delay the 2% COLA for the unit, which is scheduled to take effect on October 1, 2005. Our current MOU allows the University to delay salary increases during reopener negotiations, and we believe that the University will not agree to pass through the 2% COLA while we are fighting for an improved and more equitable salary scale.

## Vacation/holiday closures

Discussions in this area have centered on the issue of holiday closures. On some campuses, and especially at UCLA, librarians are being denied their right to make alternative arrangements to perform their work during holiday closures when they have no access to their regular work place. Instead, they are being forced to take vacation or to forego their pay.

Article 3.A. of the MOU gives us the right to “reasonable flexibility and reasonable individual discretion for librarians in the use of University time so they may function as academic appointees.”

The Unit 17 team thus has proposed new language for Article 20 B.4 that clarifies our position: that librarians are professional academics who must not be required to use vacation or take leave without pay during holiday closures of libraries, when a librarian has professional duties that he or she wishes to perform at an alternative location.

The University has responded to our position by proposing a side letter to the MOU that specifies that one campus — UCLA — may set its own policy concerning alternative arrangements during holiday closures. The UCLA policy has been in place for the last two holiday closures. It is very restrictive and forbids librarians from making alternative arrangements in order to complete “routine” work. The union has rejected this proposal.

Unfortunately, we have learned that UCLA continues to insist on their definition of acceptable “alternative arrangements.” The union team believes it is



COLA that will be provided by the University. Our thinking here is that a flat payment to each member of the unit will result in proportionally larger increases for our lower-paid librarians, and this amount is also meant to recapture the 1% of “compact” dollars that the University plans to hold back to fund merit increases.

We have not yet heard a formal response from the University to this latest proposal. However, based on informal feedback, we believe that the University’s bottom line at this moment is they are not willing to offer any salary increase beyond the 2% COLA and 1% merit that comes from the state budget “compact” funding. In their view, the provision of merit funding in past years when there was no money for salary increases was an extraordinary step, and now that state money is available for

completely unacceptable to exempt one campus from honoring librarians' status as academic appointees. We believe we must fight hard to safeguard our rights in this area. At this moment, we therefore are far apart from the University on this question.

### Development funds, PI status

The union began by proposing that campus allocations for professional development funds (PDF) be doubled, from roughly \$600 per person to \$1200. The last time the MOU allocations were increased was in 2000, going from about \$300 to \$600 per person. Some campuses routinely augment the PDF money available to their people, but at least two campuses provide only the minimum level of funds guaranteed to unit members by the MOU.

We believed this 100% increase is certainly merited, given the enormous expense of attending conferences – most librarians have to pick up such costs out of their own pocket. This is particularly outrageous since professional activity is evaluated as a component of our merit reviews – and helps to determine our salaries and promotions.

The University counter-proposed a two-step improvement which adds up to an approximately 15% increase in the minimum funding level.

While we are encouraged that the University has made some steps toward recognizing this problem and meeting our demands, we do not believe this offer is sufficient. We hope to bargain an increase that goes much further towards helping our members with the professional development costs that they now must bear themselves.

On PI status, the union began by proposing that the academic title "librarian" be added to the UCOP list of titles eligible to submit proposals as principal investigators. Under the present MOU, librarians at some campuses, particularly Berkeley, were encountering major obstacles when they sought PI status.

We have learned through this round of bargaining that the issues at Berkeley appear to have been resolved. We are still waiting for an explanation from the

*(continued on page 10)*

## UC-AFT wins major victory in health benefits case

by Karen Sawislak, UC-AFT Executive Director

**A**fter years of legal struggle, UC-AFT has finally prevailed in its efforts to win redress for Unit 18 lecturers who were required to foot the costs for increased health benefit premiums and copayments that were illegally implemented by the University in 2002 and 2003. Over the next weeks, the union will work with the Public Employment Relations Board (PERB) to ensure that UC provides fair and timely reimbursements to members of the unit.

This case has a long history. It began during the endless bargaining of the Unit 18 MOU that was finally settled in July 2003. In January 2002 and January 2003, while no MOU was in effect, the University unilaterally imposed changes to lecturers' health benefits, increasing copays and raising monthly premiums. UC-AFT filed a charge with PERB over UC's failure to bargain these changes, which resulted in substantial new costs to those represented by Unit 18.

After a six-day trial and extensive briefing in November 2003, a PERB administrative law judge (ALJ) unequivocally rejected all of the University's defenses and found that UC had broken the law. The ALJ ordered that UC reimburse lecturers for the extra costs they incurred from the time of the changes until the start date of the then-new MOU (July 10, 2003.) UC then appealed the case to the full PERB. After more briefing and argument, the Board upheld the judge's decision and order.

Even with two strong rulings against it, UC still refused to accept responsibility for its unlawful conduct. At great expense, the University then tried to overturn PERB's decision in the California courts. Attorney Ari Krantz filed UC-AFT's brief with the appellate court in February 2005.

### UC's case thrown out of court

In early July, the folly of the University's actions hit home again. We learned that the California appeals court refused even to hear the University's case. The court found the University's appeal so lacking in merit that it rejected its case without listening to its arguments.

At this point, the University has at long last decided to accept PERB's and the court's judgments – and thereby stop wasting taxpayer funds on hugely expensive litigation and outside counsel.

In the next months, we expect that members of Unit 18 will finally be compensated for the health benefit payments unlawfully collected by the University. Given the passage of time and the complexity of calculating damages to affected individuals, we have asked PERB Regional Director Anita Martinez to assist us in securing fair and timely payments from the University. Soon, UC will have to show us the money – which then will be distributed to Unit 18 lecturers covered by the UC health plans. Please watch for updates on this process.

Thanks to the fine work of our attorney Ari Krantz, the legal defense funds provided by CFT and AFT, and the perseverance of leaders and members, UC-AFT now has set an important precedent. The University no longer will be able to commit such abuses while it is bargaining with us – or any other union. This win helps to shift the balance at the bargaining table and our coalition partners have already relied on this case to advance their negotiations.

Congratulations to Unit 18 on its tremendous victory!

# How we can support other unions

by Mike Rotkin, Vice President for Organization

**L**ast spring, three unions at UC – AFSCME, CUE and UPTE – conducted strikes. There are likely to be more labor actions this year. Here are some suggestions for ways in which UC-AFT-represented librarians and lecturers can respond to strikes on campus.

This advice is intended to help you 1) manage your classes to meet the educational needs of your students; and 2) provide solidarity with our union brothers and sisters without violating the Unit 17 or Unit 18 MOU (librarians' or lecturers' Memorandum of Understanding, i.e., the contract) or risking your job.

## Importance of solidarity with other UC unionists

As you know, the success of our strike with CUE two years ago was due not only to our union's collaboration with CUE but also to the enthusiastic support of the other unions: UPTE, AFSCME, UAW and the building trades. The improved contract we were able to negotiate the following summer shows why solidarity is key to all UC employees' success in winning and maintaining fair and professional wages, benefits, and working conditions. So we urge all of you to do everything you can – short of violating our MOUs – to support our fellow UC union members.

Why should we be concerned about violating the MOU? Both the librarians' and lecturers' contracts make it illegal for our members to withhold their labor or for the union to urge members to withhold their labor because of another union's strike. If a librarian or lecturer violates this provision, the University can impose sanctions both on the union and on the individual involved, and the union will not be able to do much to protect that employee.

But there are many legal ways to support fellow unions and fellow UC employees when they go on strike. Precisely because our lecturer and librarian

MOUs bar us from sympathy strikes, we strongly encourage all our members to engage in legal support activities that do not violate our MOUs.

## Freedom of expression protected

Nothing in our MOUs requires you to give up your free speech rights under the U.S. and California constitutions. You are free, on your own time (work breaks, lunch time, before and after work or classes, or any other non-work time), to join picket lines and rallies, make speeches, write and/or distribute leaflets, flyers, or posters, and wear buttons, t-shirts or other items expressing your views on campus labor issues or (for that matter) any other current event.

Educating our campus communities is one of the more important forms of support we as academics can offer the other UC unions. Many faculty make, and allow students or visitors to make, announcements or to pass out non-course materials before class. Many faculty engage their classes in discussions of the issues raised by the strike, when appropriate and relevant to the course.

Such actions do not violate the terms of our MOUs or any other University policies, so long as you do not urge members of our units to stop doing their jobs. We will do our best to inform you about the issues leading to a strike so you can share information with colleagues and students.

## Responding to the picket line

We also have some suggestions on how to respond to sanctioned labor picket lines. Again, librarians and lecturers may not simply refuse to go to work or to carry out assigned duties unless you can credibly argue that your personal safety (not simply your comfort or values) is placed at risk by crossing a picket line. However, librarians and lecturers have some degree of freedom in deciding how to respond to a strike line.

Lecturers are officers of instruction at UC. In the absence of instructions to the contrary, it is your right and respon-

sibility to determine how best to offer your students instruction. If you feel that a picket line will limit your students' ability to attend your class, you might, for example, decide to have your class meet off campus. (This is, of course, more difficult if the weather is bad and you have a large class.)

If you are teaching a course in the arts, humanities, or social sciences where a visit to a strike line would be appropriately related to your course topic, you might hold class at or near the picket line (of course, not requiring any of your students to join in picketing).

Alternatively, if the strike is brief, you might decide to avoid the attendance problems that it is likely to cause by rescheduling your class to another day. And of course, you may choose to discuss the strike issues with your students, as appropriate, and perhaps its implications for higher education both present and future, as well as the immediate issues the strike raises for class attendance, rescheduling, etc. Most university librarians have some flexibility in their work assignments as well. In some cases, so long as you complete your assigned duties, you may be able to work an alternative schedule, come to work before a picket line is set up in the morning, work from your home or another internet location, etc.



Union member

# Why we need to raise the dues cap

by Bob Samuels, President

Some librarians may be able to take earned vacation time rather than come to work during a sanctioned strike. Note, however, that if your vacation schedule must be approved by your supervisor, you must not take unauthorized vacation.

## Be creative

There are, no doubt, other creative ways to respond to a strike by other campus unions without requiring either you or your students to cross a sanctioned strike line. However, please be very clear that you do not have the right to refuse

to work, fake illness, take unauthorized vacation or otherwise withhold your labor in sympathy with other unions on strike.

If you must cross a line in order to go to work, you can express your support of the strike by what you wear (buttons, t-shirts), by what you say, by taking time to discuss the issues with students and colleagues when appropriate, and most importantly, by returning after work or during breaks to join the picket line, offer strikers refreshments and moral support, etc.

If you have questions, please contact either Vice President for Organization Mike Rotkin <[openup@cats.ucsc.edu](mailto:openup@cats.ucsc.edu)> or Executive Director Karen Sawislak <[ksawislak@cft.org](mailto:ksawislak@cft.org)>.

Due to several factors that are affecting the fiscal health of our union, we are faced with the need to raise the dues cap of our members. During the past few years, we have expanded our union staff and increased our representational workload by relying in part on generous startup grants from the national American Federation of Teachers (AFT) and the California Federation of Teachers (CFT). But these grants are meant to be temporary, and part of our arrangement with the AFT involves our commitment to gradually wean ourselves from these subsidies.

While we will still receive help from AFT for legal representation, staffing, and internal and external organizing, we now must honor our agreement with the national union and take additional steps toward becoming self-supporting.

## Rising union expenses

We have always known that we would have to raise the dues cap at some point, but we have put off this difficult decision as long as possible. While we are working hard to improve the efficiency of our operations, we are nonetheless projecting growing deficits as our agreed-upon commitment to the AFT requires us to assume the full cost of per capitas. "Per capitas" are the affiliation fees required by the national organization and are assessed on the basis of membership, i.e., per capita. In the past budget year, we were required to pay only 45% of the full per capita rate. Moreover, due to the extraordinarily negative political climate that confronts state employees and educators in California, we also have committed to spend many thousands of dollars this year to help support the CFT's fight against various state ballot initiatives directly affecting our members.

The increase of the dues cap that the executive board has recommended to our members is the smallest increase and most equitable arrangement we

believe we can manage. By raising the monthly dues cap from \$55 to \$65, we have ensured that most members will see increases of no more than \$10 a month. For most lecturers, this increase is a small amount compared to the salary increases and cost-of-living increases won by the union with our last contract, and these gains were protected in the new contract just ratified by Unit 18. In fact, most lecturers affected by the cap increase will receive raises this October of over \$1,000. In addition, we have instituted a much more effective merit system for all members.

In the case of librarians, previous contracts have done much to improve the salary schedules and equity. Unit 17 is currently fighting for salary increases for all librarians and has especially focused its efforts on raising the scale at the lowest levels.

Indeed, one reason we believe we have to raise our salary cap is that we now have a substantial percentage of lecturers and librarians who are at the dues maximum. This creates an internal inequity, since the dues rate is a percentage of one's salary: lower-paid members pay the full rate, while capped out members may pay less than the full rate. While some members have suggested that we simply remove the cap altogether, such a step would force a number of our members to pay more than double their current dues rate. We believe the proposal we've advanced represents the most equitable balance possible.

In October, each local will be asked to vote on this dues issue. If five campuses vote in favor of it, we will increase the dues beginning in the next calendar year. We urge you to support this increase so that we can continue to work with you to provide our members with the best possible contracts and the best possible enforcement of those contracts.



Member picketing at UC Berkeley.

# UC-AFT lecturer directs poignant musical about labor movement

*This fall, UC Berkeley's Theater Department is presenting **The Cradle Will Rock**, a musical about workers trying to survive in a world of corporate corruption – a theme that resonates as strongly today as it did when the play first opened in the 1930s. We spoke with its director, long-time UC-AFT member Lura Dolas.*

**Q.** What is *The Cradle Will Rock* about?

**A.** It is about the turbulent struggle between workers and management in the 1930s, the most violent period in American labor history. Against the grim backdrop of the Depression, this “musical drama” uses satire, irony and theatrical Brechtian techniques to illustrate the corrupt, heartless tactics of management and the hope and strength workers found in unity. Set in Steeltown USA, the plot revolves around the CIO’s attempts to unionize steel along industry lines and paints the possibility of better wages, hours and working conditions.

*The Cradle Will Rock* was called “a play in music” by its creator, Marc Blitzstein, and a “music drama” by Orson Welles, its first and long-time producer. It has also been categorized as agitprop, operetta and musical theater. It is a piece with strong social and political messages and unmistakable Brechtian resonance.

The first production, prepared by

the Welles-Houseman Federal Theater in 1937, was canceled by the “Administratrix” of the Arts Project in Washington because of the controversial material it was seen to contain. The subsequent struggle and the ingenious, courageous changes made by the creators, cast, and producers which moved *The Cradle Will Rock* into production and launched its astonishing success is a stirring story in and of itself – one chronicled in director Tim Robbins’ feature film.

**Q.** Why did you choose to direct *Cradle*?

**A.** *Cradle* is a striking and difficult piece of work with a strong social message – exactly the sort of material I believe our students need to approach and project into the world. All involved have been challenged to understand more fully the times and conditions described in the play and to explore the intellectual and emotional realities behind labor history. Further, the piece makes strong demands of its performers – and stretches the students into new and challenging work. *Cradle* is full of modern resonances. Economic hardship, attacks on organized labor, accumulation of wealth by a tiny percentage at the top, bitter debates on whether US troops should be active in other countries, and who, here at home, profits from those wars. The play shows us religious demagoguery, a



Lisa Keating, photo

Lura Dolas.

country politically divided, and the spectacle of greed and corruption set against the people’s rights. It could be argued further, that the interests of the steel industry and the munitions makers, as represented in *Cradle*, are analogous to those of today’s oil industries in Iraq.

**Q.** Do you have a personal connection to the material?

**A.** I am drawn to this material because of my grandmother who, on her own, managed to raise three daughters in the midst of the Depression on her meager wage as a seamstress in Kaufman’s Department store in Pittsburg, PA. In her gentle, unaccusatory, never self-pitying way, she helped me glimpse the hardships of the day. She never told of her own struggle, but painted a picture of the times for me with stories about other workers. I glimpsed the helplessness, poverty and dire working conditions - the humiliation of having to ask for help and stand in breadlines. And about praying that no one would get sick, because there was no medical care. I came to understand, in some measure, the hope for a better life that unionization promised.

As a long-time lecturer at UC (16 years) I am a union member of UC-AFT Local 1474. I am also a member of Actor’s Equity. My husband, Darryl Brock, participated in the first AFT teachers’ strike in the state of California – in 1966, in Richmond. We’re a union family!

## THE CRADLE WILL ROCK

A musical by Marc Blitzstein • Directed by Lura Dolas

Oct. 7-Oct. 16, Zellerbach Playhouse, UC Berkeley

For more information, (510) 642-9925 or <<http://theater.berkeley.edu>>

## TAKE BACK THE POWER - BREAD, ROSES, AND REVOLUTION

Professor Leon Litwack, UCB historian and Pulitzer Prize winner, will examine the history of the labor movement, including the violent events surrounding the formation of the CIO, and the extraordinary story of *Cradle Will Rock*’s first production.

September 28 at 4pm • Zellerbach Playhouse, UC Berkeley • FREE

## PANEL DISCUSSION: CRADLING THE NEW DEAL

What lessons can we learn about organizing from the play? Panel includes the CFT’s Fred Glass, Peter Glazer, Kathleen Moran. Moderator: Shannon Steen.

October 12 at 5pm • Zellerbach Playhouse, UC Berkeley • FREE



# Enforcing the lecturers' contract in 2005

By Alan Karras, Vice President for Grievances

A new academic year brings with it the opportunity to reflect upon past years in order to assess both what went wrong and what went right. I am happy to report that the 2004-2005 year had a lot that went right, at least in the area of contract administration and enforcement.

When we signed the new Memorandum of Understanding (MOU) for lecturers in 2003, your bargaining team always had in mind that new contract provisions and protections would not amount to much without *enforcement* provisions. That is why we fought so hard to get arbitration for contract disputes into the contract in the first place. But without a systematic and consistent way of actually moving disputes through the grievance process to arbitration, the contract's arbitrability would be weakened.

As a result, over the course of the last year, UC-AFT has centralized its grievance process more than ever before. Grievances, while filed on individual campuses, are also reported to the executive director and the vice president for grievances. In turn, they have kept UCOP's chief negotiator, who is also in charge of contract administration, informed. The goal is always to bring about a resolution of the issues – in order to prevent a costly and time-consuming arbitration.

This is not to say that all grievances are resolved to the satisfaction of our officers and members. But, at least in the last year, most of them have been. The University has come to understand that we are serious about enforcing our contract. Sometimes the issues are really misunderstandings. Other instances are deliberate attempts to ignore the MOU; still others are real disagreements about what the contract actually means. In order to deal with these kinds of issues going forward, the bargaining teams agreed in the last re-opener negotiation to write a contract implementation manual. The manual, which will be

authored jointly, will address areas of conflict that have arisen, how to resolve them, and will point to areas that are still disputed. (In fact, as the manual is written, such disputed areas will be identified and a mediator will be brought in to resolve the disputes, where that is possible.) Our goal is to have a truly systemwide contract that is applied the same from one campus to the next by the end of the calendar year or, as is looking more likely given scheduling issues, sometime in early 2006.

## Challenging unfair practices

Having said all of this, it is also worth mentioning some of the issues that arose during the 2004-2005 year. As you may know, the Davis lecturers who were not allowed to be put forward for post-six appointments years ago are now rehired with continuing appointments. Several other issues remain on this campus and, as I write this, we are approaching the second set of dates for an arbitration between the union and the campus. This grievance arose because the Davis administration has limited the non-Senate faculty's (NSF) role on continuing appointment reviews.

At Berkeley, the Music Department, which for years had misused a college title to keep many teachers out of the unit, has agreed to put all of these teachers and coaches into our bargaining unit. When appropriate, they have also been given continuing appointments, important since some of them had worked far more than six years under the previous "arrangement." Boalt Hall continues to make progress at making appointments and percentages consistent between lecturers. But there is much work to be done. At Berkeley, a series of College of Letters and Science rules, written for the old contract, are still sporadically applied. When they are, we point out that they are inconsistent with the new contract and attempt to rid ourselves of them.

Santa Cruz has been consistently good about resolving grievances as they are brought up. Open issues remain, particularly in Humanities and Languages; we expect that they will be satis-

factorily resolved in the coming year. Santa Barbara has also resolved most of the grievances there; we do have a settlement conference planned for a case where arbitration had been scheduled. It was, we believe, the threat of arbitration that caused the administration to settle.

Riverside has made huge improvements in the way that it deals with grievances; settlements are regularly made at Step I and Step II. We noticed this change after a bruising fall quarter a year ago. The University had to provide back pay to many people in the English Department for extra work; it also had to lower their future workload, and hire more lecturers. In other departments, as well, ignorance of the contract (and, in one case, the law) led to some protracted battles. But, with the help of UCOP, we were able to turn this campus around.

So too are we noticing changes at UCSD, which has consistently come up with its own interpretations of the contract. Slowly moving towards the other campuses, UCSD has resolved some issues regarding appointment percentages – thus avoiding arbitration. There are still some other unresolved issues at this campus, which generally moves very slowly even by UC standards, but we are cautiously optimistic that they can be worked out. There is still, however, a lot of misinformation floating around departments. We hope that the contract implementation manual can correct this.

Irvine has made some progress too in moving towards resolving issues that are brought to the attention of administrators. Initially, every grievance was denied. But, over the course of the last year, with consistent pressure – and sometimes the help of UCOP – we have been able to come to some agreement. Issues that remain problematic here are appointments; the campus had a practice of churning in some departments and programs. It therefore did not have much of a lecturer's presence at all; as our members grow there, they have become more vocal and that has allowed

(continued on page 10)

## Lecturers' contract

(continued from p.9)

us to wrestle with some very difficult appointment issues. But much work remains to be done here.

Finally, last year was a terrible year at UCLA. We have filed a Public Employment Relations Board (PERB) charge because the East Asian Languages program has refused access to our staff. It has done so despite the efforts of UCOP. We have an open grievance in this department, as well, that is headed for arbitration. We have had problems at UCLA in other areas – most particularly the librarians and library closures. We are looking at another PERB charge over some other library issues. Alone amongst the campuses, UCLA seems to have deteriorated over the last year. We will use every instrument at our disposal to turn the campus around. But we are also content to bring arbitration and, as appropriate, bring in PERB.

And, to end on a positive note, we have won a major PERB victory over health benefits, and copayment increases during the last round of full contract bargaining in 2002. This will, we hope, result in cash payments to members (see story, page 5). Please don't hesitate to raise contract questions with your local staff and stewards.

## Librarians' bargaining

(continued from p.5)

University as to why librarians simply cannot be added to the list of eligible academic titles.

The union and the University have tentatively agreed to add "gender identity" and "pregnancy" to the list of statuses that are protected under the "Non-Discrimination" article of the MOU. This is a technical change that brings the language of the MOU into compliance with existing federal and state law.

The University has proposed an extension of the duration of the current MOU for 4 years, through 2009. At the moment, the University's positions are such that the union team sees no reason to extend the current MOU, which will expire on August 30, 2006.

## Katrina creates chaos for schools, union members

The AFT, along with other unions, is working to respond to the tragedy and devastation of Hurricane Katrina across the Gulf Coast. Donations to the AFT Disaster Relief Fund will help fill the immediate needs of union members who have been affected by the hurricane. Contributions should be made payable to the AFT with "disaster relief" written in the memo portion of the check and sent to: **AFT Disaster Relief Fund, Attn: Connie Cordovilla, 555 New Jersey Ave. NW, Washington, DC 20001.**

## Ballot measures

(continued from p.3)

A less stable teacher workforce will mean less union participation, less political activism and especially less resistance to the governor's public education cutbacks.

Ironically, a measure that purports to help public education will do much to hurt it and will make it harder than it already is to recruit and retain new teachers.

For those who wish to give the governor the benefit of the doubt – say he really thinks a five-year teacher probation would help education – a look at another of his initiatives should reveal his true intentions.

### Privatizing education

The "Live Within Our Means Act" allows the state to suspend Proposition 98's minimum-funding guarantee for schools. The measure caps all state spending at the prior year's level unless spending growth is paid for by revenue growth. It also gives the governor the right to declare a "fiscal emergency" under certain conditions, during which he could make budget cuts at his discretion.

This measure is in keeping with the wider conservative agenda to reduce funding and privatize public education and public services, while the governor's initiative weakening teacher job security would make it harder to resist the conservative agenda.

The governor's third measure, the "Voter Empowerment Act," would introduce statewide reapportionment of

California's federal and state legislative districts.

A panel of retired judges would oversee this reapportionment. Although the panel is supposed to be non-partisan, the governor's apparent aim is to promote new district lines that are more favorable to Republican interests.

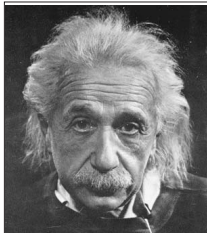
A group of retired judges is a relatively elite group that would likely support a Republican program. In any case, even a split panel would improve the Republican position over their position today, given their minority status in the state legislature.

A fourth measure would require California's public employee unions to get annual written permission from union members to spend money on political campaigns.

Under the guise of upholding the rights of union members, the measure was authored by Lewis Uhler, president of the National Tax Limitation Committee and a prominent figure in conservative circles that are not known for their support of unions or union members.

The real purpose of the measure is straightforward: to weaken the political voice of teachers and other unionized workers and strengthen the voice of conservative and big business interests.

I hope UC students, faculty and staff will join me in protecting public education, and indeed protecting democracy in our state, by opposing these measures.



Albert Einstein, charter member of AFT Local 552, Princeton University, comments in 1938 on why he joined the union.

**“I consider it important, indeed, urgently necessary, for intellectual workers to get together, both to protect their own economic status and, also, generally speaking, to secure their influence in the political field.”**

## UNIVERSITY COUNCIL - AMERICAN FEDERATION OF TEACHERS MEMBERSHIP FORM

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Name: \_\_\_\_\_  
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street city zip code

Campus Address: \_\_\_\_\_  
department campus mail code (if any)

Telephone: \_\_\_\_\_  
home work email

UC-AFT dues are 1.096% of gross monthly salary for librarians and non-Senate faculty who do have exclusive representation. Dues are .996% of gross monthly salary for Academic Senate faculty and academic researchers who do not have exclusive representation. In either case, dues are capped at \$48.80 per month. Dues will be deducted each month from your payroll check. Dues paid to UC-AFT may not be tax-deductible for federal tax purposes; however, under limited circumstances, dues may qualify as a business deduction. Check with your tax consultant.



**EMPLOYEE ORGANIZATION MEMBERSHIP PAYROLL DEDUCTION AUTHORIZATION**  
 UPAY 669 (10/80)

PLEASE PRINT OR TYPE

LAST NAME, FIRST, MIDDLE INITIAL	CAMPUS	LOC	EMPLOYEE I.D.	DATE
DEPARTMENT EMPLOYED AT U.C.	ACTION ON THIS FORM TO BECOME EFFECTIVE THE PAY PERIOD BEGINNING: _____ DATE			
TITLE AT U.C.	MONTHLY DEDUCTION			
ORGANIZATION NAME (INCLUDE LOCAL NAME AND NUMBER) AFT LOCAL	ENROLL	CANCEL	CURRENT AMOUNT	
	<input checked="" type="checkbox"/>			
	INITIATION FEES			
	GENERAL ASSESSMENT			
	TOTAL			

I authorize The Regents of the University of California to withhold monthly or cease withholding from my earnings as an employee, membership dues, initiation fees and general assessments as indicated above. I understand and agree to the arrangement whereby one total monthly deduction will be made by the University based upon the current rate of dues, initiation fees, and general assessments. I ALSO UNDERSTAND THAT CHANGES IN THE RATE OF DUES, INITIATION FEES AND GENERAL ASSESSMENTS MAY BE MADE AFTER NOTICE TO THAT EFFECT IS GIVEN TO THE UNIVERSITY BY THE ORGANIZATION TO WHICH SUCH AUTHORIZED DEDUCTIONS ARE ASSIGNED AND I HEREBY EXPRESSLY AGREE THAT PURSUANT TO SUCH NOTICE THE UNIVERSITY MAY WITHHOLD FROM MY EARNINGS AMOUNTS EITHER GREATER THAN OR LESS THAN THOSE SHOWN ABOVE WITHOUT OBLIGATION TO INFORM ME BEFORE DOING SO OR TO SEEK ADDITIONAL AUTHORIZATION FROM ME FOR SUCH WITHHOLDINGS. The University will remit the amount deducted to the official designated by the organization. This authorization shall remain in effect until revoked by me - allowing up to 30 days time to change the payroll records in order to make effective this assignment or revocation thereof - or until another employee organization becomes my exclusive representative. It is understood that this authorization shall become void in the event the employee organization's eligibility for payroll deduction terminates for any reason. Upon termination of my employment with the University, this authorization will no longer be in effect. This authorization does not include dues, initiation fees and general assessments to cover any time prior to the payroll period in which the initial deduction is made. Payroll deductions, including those legally required and those authorized by an employee are assigned priorities. In the event there are insufficient earnings to cover all required and authorized deductions, it is understood that deductions will be taken in the order assigned by the University and no adjustment will be made in a subsequent pay period for membership dues, initiation fees and general assessments.

EMPLOYEE SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**FOR UNIVERSITY USE ONLY**

TRAN CODE	EMPLOYEE ID NO.	DATE		ELEM NO.	BAL CD	AMOUNT
		MO	YR			
X1		12	13	6	G	.....
X1				6	G	.....
X1				6	G	.....

RETENTION: 1 YEAR AFTER INACTIVE - ACCOUNTING OFFICE

### SUPPORT THE UNION'S COMMITTEE ON POLITICAL EDUCATION

I hereby authorize the University of California to deduct from my salary the sum of  \$5  \$10  \$ \_\_\_\_\_ (other amount) per pay period and forward that amount to UC-AFT's Committee on Political Action (COPE). This authorization is signed freely and voluntarily, and not out of any fear of reprisal and I will not be favored or disadvantaged because I exercise this right. I understand this money will be used by UC-AFT/COPE to make political contributions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

This voluntary authorization may be revoked at any time by notifying the UC-AFT/COPE in writing of the desire to do so. Contributions or gifts to UC-AFT/COPE are not deductible as charitable contributions for federal income tax purposes.

Return form to Treasurer, UC-AFT, 11728 Wilshire Blvd., #B1007, Los Angeles, CA 90025



Attention pre-sixth NSF

## New credit program toward continuing appointment

The One-Time Course Credit Allocation Program for term credit toward a continuing appointment is now open for applications.

Due to a new side letter in the recently ratified Unit 18 MOU, non-Senate faculty (NSF) who do not have a continuing appointment on a campus now have the opportunity to request credit toward a continuing appointment in a department or program for quarters or semesters taught in other departments or programs on the *same* campus.

Courses submitted for the credit allocation must be directly related to the NSF's teaching appointment in the department requested to consider the allocation.

### Count your credits

For those who qualify, this program will have the effect of speeding the NSF's access to a continuing appointment.

For example, a pre-sixth NSF appointed in Political Science at a campus now may apply to have the related courses he or she taught in History and/or East Asian Studies at that campus counted as term credits he or she is accruing toward a continuing appointment in Political Science. Under this program,

Political Science may allocate up to three years of credit (six semesters/nine quarters) to the NSF for the related courses she or he has taught elsewhere on the campus.

Applications for one-time course credit allocations are now being accepted at campus Academic Personnel Offices. The application form is available at each campus Academic Personnel Office and can be downloaded from the UC-AFT website.

The deadline for all applications is November 30, 2005. No late submissions will be accepted.

The following conditions apply to this program:

- ♦ Eligible NSF must have accrued a minimum of two years of course credit (four semesters/six quarters) in the department requested to consider the additional allocation.
- ♦ Eligible NSF must have an appointment in the bargaining unit during the 2005-2006 academic year.
- ♦ Following an award of one-time course credit, the NSF's total term credit as of December 31, 2005, plus any term or terms added by the one-time credit allocation, may not exceed 10 semesters/15 quarters.

- ♦ The decision to grant or not grant course credit is at the sole discretion of the University. The union's grievance rights are limited to procedural violations of the side letter.

### Deadline: November 30

In other words, in order to participate, NSF must already have accrued four semesters or six quarters in the department or program to which they will direct their application. The current fall 2005 term may count toward this requirement. NSF may receive up to 6 semesters or 9 quarters of term credit toward a continuing appointment for related courses taught in other departments or programs.

If you believe that you may qualify for this credit allocation program, please contact UC-AFT Executive Director Karen Sawislak immediately at 510-832-8812 or at [ksawislak@cft.org](mailto:ksawislak@cft.org). Again, please be aware that the application deadline is November 30, 2005. This is a firm deadline – no late applications will be considered.

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Oakland, California 94612  
<http://www.cft.org/uc-aft/>

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